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EXAMINER
WANG, HARRIS C

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/807,270	BLANDFORD, ROBERT R.
	Examiner	Art Unit	
	Harris C. Wang	2139	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on *24 March 2004*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-82* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-62, 69 and 70* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☒ Claim(s) *63-68, 71-82* are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *24 March 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date *24 March 2004*.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-82 are pending

Claims 1-62, 69-70 have been elected

Election/Restrictions

During a telephone conversation with Robert Bell on 6/12/2007 a provisional election was made without traverse to prosecute the invention of Group 1, claims 1-62, 69-70. Affirmation of this election must be made by applicant in replying to this Office action. Claims 63-68, 71-81 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Objections

Claim 58 objected to because of the following informalities: Claim 58 should depend on claim 57, but instead the Applicant has Claim 58 depending on Claim 47. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 31 recites the limitation "decryption means...for decrypting the one or more

encrypted data blocks." However nowhere in Claim 1 or 2 does the Applicant claim the

limitation of having encrypted data blocks. Furthermore Claim 31 does not specify

where the encrypted content is transmitted from.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 6, 10, 12, 32, 34, 37, 41, 43, 69 are rejected under 35 U.S.C. 102(b)

as being anticipated by Botti (US 20010037454).

Regarding Claims 1, 32

Botti teaches a system for archiving data blocks comprising:

a user data processing means for a user to form one or more data blocks; *("the*

user's document or filed to be verified may be, for example, stored on the local computer's disk

drive" Paragraph [0025]) ("The Authentidate process may be activated by being linked to a

word processing program that user's routinely access on the user system or customer site"

Paragraph [0042])

transmission means, coupled to the user data processing means, for transmitting

said data blocks from the user data processing means; _("The user has software that_

automatically connects to the Authentidate server. Exemplary methods of connecting to the

Authentidate server is shown in Fig. 1" Paragraph [0023])

and remote archive storage means, coupled to the transmission means, for

receiving and storing the one or more data blocks, _("the file is sent to a remote server,_

where both a digital signature and a time stamp are generated...The remote server may

discard the digital file it received, forward the file, or archive it" Paragraph [0015])

said remote archive storage means preventing anyone, including the user, from

modifying or deleting said one or more data blocks stored at said remote archive

storage means to provide non-rescindable storage of said data blocks for at least an

initial time period. _It is inherent that while data is archived, the data is prevented from_

being modified or deleted. It is also inherent, that if data is archived, it is archived for at

least an initial time period.

The cited portions teach the method associated with the system.

Regarding Claim 3, 34, 69

Botti teaches the system of claim 1, further comprising: means for retrieving, from

the remote archive storage means to the user, a copy of the one or more data

blocks. *("The Authentidate service would then be able to supply copies to the user...upon*

request in the future. Along with a copy of the original document, the Authentidate service will

be bale to provide verification of the date upon which the document was submitted" Paragraph

[0037]). It is inherent that an archive will provide assured access to said means

for retrieving data.

The cited portions teach the method associated with the system.

Regarding Claim 6, 37

Botti teaches the system of claim 1, further comprising: secure time-stamping

means coupled to the user data processing means and the remote archive storage

means for receiving the one or more data blocks, time-stamping the one or more data

blocks on receipt, and storing said time-stamp as an additional non-rescindable

data block with the one or more data blocks in the remote archive storage

means. *("the time stamp is determined at the Authentidate server as the time and date that the*

document was received by the Authentidate server according to the master time clock"

Paragraph [0028]) ("the Authentidate server may maintain a digital copy of the file as submitted

in its entirety. The file could be saved in associated with the log of information to be kept on the

file such as...the time stamp and the digital signature" Paragraph [0034].) ("a system could be

configured to determine a...time stamp locally" Paragraph [0046])

The cited portions teach the method associated with the system.

Regarding Claim 10, 41

Botti teaches the system of claim 1, further comprising: filing key generating

means, coupled to said user data input means and said remote archive storage means,

for generating filing keys from said one or more data blocks. *("The reference field may be*

specified by the user or alternatively by the Authentidate Server. For example, the reference

field could be the subject line of a letter, the title of an agreement, a key phrase, or other

suitable information that will be stored. The reference field may be useful in performing a

search for the document" Paragraph [0030]). The Examiner interprets filing key as *"a*

compartment name or significant word…useful in retrieving desired data from the archive"

(Applicant's Specification ,Paragraph [0043]).

The cited portions teach the method associated with the system.

Regarding Claim 12, 43

Botti teaches the system of claim 1, further comprising: search means to search

stored filing keys at said remote archive storage means to select at least one of the

one or more data blocks for retrieval of copies of the at least one of the one

or more data blocks.

It is inherent that an archive storage system has a search means to search for

the files to retrieve copies of the data blocks. *("The Authentidate service would then be*

able to supply copies to the user or third parties upon request in the future" Paragraph [0037]")

("The reference field may be useful in performing a search for the document" Paragraph

[0030])

The cited portions teach the method associated with the system.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 18-20, 23, 25, 31, 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bottie in view of Sykes (7020688).

Regarding Claim 2, 33

Botti teaches the system of claim 1. However Botti does not explicitly teach

wherein the user negotiates the initial time period with the remote archive storage

means to reach agreement on an initial time period for non-rescindable storage of said

one or more data blocks.

Sykes teaches where a user negotiates a time period with an archive storage to

reach agreement on a time period for non-rescindable storage. *("The page might contain*

the option to extend the archiving for one to seven years, providing pick buttons for making the

selection, and a place order button for effecting the transaction" Column 7, lines 37-40)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the remote archive system of Botti, with a ability to negotiate a time period of archive storage as described by Sykes.

The motivation is that Sykes teaches a well-known way of negotiating a time period archive storage.

The cited portions teach the method associated with the system.

Regarding Claim 18, 49

Botti and Sykes teach the system of claim 2, further comprising. Botti teaches digital signature generating means, coupled to said user data processing means, for computing for the user, a secure digital signature data block comprising a secure digital signature of the one or more data blocks.

("In some embodiments, the digital signature of a file or files is generated locally, and the digital signature is sent without the digital file to a remote server" Paragraph [0014])

However Botti does not explicitly teach appending the digital signature data block to the one or more data blocks.

It would have been obvious to one of ordinary skill in the art at the time of the invention to append the digital signature to the one or more data blocks.

The motivation is that regardless of whether the signature is attached to the data blocks, the signature is generated performs the same way. Furthermore, Botti teaches "the Authentidate server may maintain a digital copy of the file as submitted in its

entirety. The file could be saved in associated with the log of information to be kept on

the file such as... the time stamp and the digital signature" (Paragraph [0034]).

Therefore, one of ordinary skill in the art would be able to append the digital

signature to the data block.

The cited portions teach the method associated with the system.

Regarding Claim 50,

Botti and Sykes teach the method of claim 49, wherein the step computing a

secure digital signature data block comprises the step of computing the digital

signature in a digital signature generating party independent of the user data input

device and coupled to the user data input device via the transmission network.

("In other embodiments, the file is sent to a remote server, where both a digital signature and a

time stamp are generated" Paragraph [0015])

Regarding Claim 19,

Botti and Sykes teach the system of claim 2, Botti further teaches: secure time-

stamping means coupled to the user data processing means and the remote archive

storage means for receiving the one or more data blocks, time-stamping, the one or

more data blocks on receipt, and storing said time-stamp as an additional non-

rescindable data block with the one or more data blocks in the remote archive storage

means. *("the time stamp is determined at the Authentidate server as the time and date that the document was received by the Authentidate server according to the master time clock" Paragraph [0028]) ("the Authentidate server may maintain a digital copy of the file as submitted in its entirety. The file could be saved in associated with the log of information to be kept on the file such as...the time stamp and the digital signature" Paragraph [0034].) ("a system could be configured to determine a...time stamp locally" Paragraph [0046])*

Regarding Claim 20, 51

Botti and Sykes teach the system of claim 18. Botti further teaches further teaches secure time-stamping means coupled to the user data processing means and the remote archive storage means for receiving the one or more data blocks, time-stamping the one or more data blocks on receipt, and storing said time-stamp as an additional non-rescindable data block with the one or more data blocks in the remote archive storage means. *("the time stamp is determined at the Authentidate server as the time and date that the document was received by the Authentidate server according to the master time clock" Paragraph [0028]) ("the Authentidate server may maintain a digital copy of the file as submitted in its entirety. The file could be saved in associated with the log of information to be kept on the file such as...the time stamp and the digital signature" Paragraph [0034].) ("a system could be configured to determine a...time stamp locally" Paragraph [0046])*

The cited portions teach the method associated with the system.

Regarding Claim 52,

Botti and Sykes teach the method of claim 51. Botti and Syke do not explicitly

teach wherein the step of time-stamping comprises the step of time-stamping in a

secure time-stamping party independent of the user data input device and the remote

archive storage and coupled to the user data input device and the remote archive

storage by the transmission network.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the method of Botti and Sykes with a time-stamping means

independent of the user processing means and the remote archive storage means.

The motivation is that the system provides instances of both the user and the

archive generating the time stamping means. Furthermore Botti, teaches the archive

storage means as capable of accepting time stamping means from another party "the

Authentidate server could provide a time window...for which any time stamp received

will match the clock on the Authentidate server (or any other reliable clock)" Paragraph

[0046]). Therefore one of ordinary skill in the art at the time of the invention would be

able to modify the system of Botti to use a time stamping means independent from the

user or the archive.

Regarding Claim 23, ·

Botti and Sykes teach the system of claim 2. Botti further teaches a filing key generating means, coupled to said user data input means and said remote archive storage means, for generating filing keys from said one or more data blocks. *("The reference field may be specified by the user or alternatively by the Authentidate Server. For example, the reference field could be the subject line of a letter, the title of an agreement, a key phrase, or other suitable information that will be stored. The reference field may be useful in performing a search for the document" Paragraph [0030]).* The Examiner interprets filing key as *"a compartment name or significant word...useful in retrieving desired data from the archive" (Applicant's Specification ,Paragraph [0043]).*

Regarding Claim 25,

Botti and Sykes teach the system of claim 2, further comprising: search means to search stored filing keys at said remote archive storage means to select at least one of the one or more data blocks for retrieval of copies of the at least one of the one or more data blocks.

It is inherent that an archive storage system has a search means to search for the files to retrieve copies of the data blocks. *("The Authentidate service would then be able to supply copies to the user or third parties upon request in the future" Paragraph [0037]")* *("The reference field may be useful in performing a search for the document" Paragraph [0030])*

Regarding Claim 31,

Botti and Sykes teach the system of claim 2. Botti and Sykes do not explicitly

teach comprising decryption means, coupled to the user data input means and the

archive storage means, for decrypting the one or more encrypted data blocks to create

one or more decrypted data blocks, and transmitting said one or more decrypted data

blocks to the user data processing means.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have decryption means for the system of Botti and Sykes.

The motivation is that in order to have useful data, encrypted data must first be

decrypted.

Claims 4-5, 7, 11, 13, 35-36, 38, 42, 44, 70 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Botti.

Regarding Claim 4, 35

Botti teaches the system of claim 1, further comprising: digital signature

generating means, coupled to said user data processing means, for computing for the

user, a secure digital signature data block comprising a secure digital signature of

the one or more data blocks,

("*In some embodiments, the digital signature of a file or files is generated locally, and the digital signature is sent without the digital file to a remote server*" Paragraph [0014])

However Botti does not explicitly teach appending the digital signature data block to the one or more data blocks.

It would have been obvious to one of ordinary skill in the art at the time of the invention to append the digital signature to the one or more data blocks.

The motivation is that regardless of whether the signature is attached to the data blocks, the signature is generated performs the same way. Furthermore, Botti teaches "the Authentidate server may maintain a digital copy of the file as submitted in its entirety. The file could be saved in associated with the log of information to be kept on the file such as...the time stamp and the digital signature" (Paragraph [0034]).

Therefore, one of ordinary skill in the art would be able to append the digital signature to the data block.

The cited portions teach the method associated with the system.

Regarding Claim 5, 36

Botti teaches the system of claim 4, wherein the digital signature generating means comprises a digital signature generating party independent of the user data processing means, and coupled to the user data processing means via the transmission means. ("*In other embodiments, the file is sent to a remote server, where both a digital signature and a time stamp are generated*" Paragraph [0015])

The cited portions teach the method associated with the system.

Regarding Claim 7, 38

Botti teaches the system of claim 6. However Botti does not explicitly teach that tthe secure time-stamping means is independent of the user data processing means and the remote archive storage means, coupled to the user data processing means and the remote archive storage means by the transmission means.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Botti with a time-stamping means independent of the user processing means and the remote archive storage means.

The motivation is that the system provides instances of both the user and the archive generating the time stamping means. Furthermore Botti, teaches the archive storage means as capable of accepting time stamping means from another party "the Authentidate server could provide a time window...for which any time stamp received will match the clock on the Authentidate server (or any other reliable clock)" Paragraph [0046]). Therefore one of ordinary skill in the art at the time of the invention would be able to modify the system of Botti to use a time stamping means independent from the user or the archive.

Regarding Claim 11, 42

Bottie teaches the system of claim 10. Botti does not explicitly teach wherein said filing key generating means is independent of the user data processing means and the remote archive storage means, coupled to the user data processing means and the remote archive storage means via the transmission means.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Botti to be able to generate the filing key independently from the user or the archive.

The motivation to modify is that the system of Botti already possesses the ability to generate filing keys at either the user or the archive, and one of ordinary skill in the art would be able to generate the keys independently.

Regarding Claim 13, 44

Botti teaches the system of claim 12. Botti does not teach wherein said search means comprises an independent search party, independent of the user data processing means and the remote archive storage means, coupled to the user data processing means and the remote archive storage means via the transmission means.

It would have been obvious to one of ordinary skill to modify the system of Botti with the ability to use a independent search party.

The motivation is that where the search means is located does not affect how the system works, and one of ordinary skill would be able to use an independent search party to find the data blocks in the archive.

Regarding Claim 70,

Botti teaches the system of claim 69. Botti does not explicitly teach wherein said archive requires verified personal data from said user for providing said assured access.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have the archive require personal data before providing access.

The motivation is it is common to request personal data before providing access in an access control system.

Claims 8-9, 14-15, 39-40, 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Botti in view of Cane (5940507).

Regarding Claims 8, 14, 39, 45

Botti teaches the system of claim 1. Botti however does not explicitly teach: encryption means, coupled to the user data input means and the remote archive

storage means, for encrypting the one or more data blocks to create one or more

encrypted data blocks, and transmitting said one or more encrypted data blocks to

remote archive storage means in place of said one or more data blocks. Botti also does

not explicitly teach where encryption means for encrypting the one or more data blocks

to produce one or more encrypted data blocks such that the remote archive storage

means may not decrypt copies of the one or more encrypted user blocks.

Cane teaches an encryption means *(Figure 1, Cryptographic engine 14)* , coupled to

a user *(Figure 1, Source system, 8)* and a remote archive storage *(Figure 1, Archive*

Server, 30), for encrypting the one or more data blocks to create one or more encrypted

data blocks *(Figure 1, encrypted file, 20)* and transmitting said one or more encrypted

data blocks to remote archive storage *("The encrypted file 20 and encrypted key 24 are*

then transmitted to the archive server at steps 116 and 118" Column 3, lines 64-66).   Cane

further teaches where encryption means for encrypting the one or more data blocks to

produce one or more encrypted data blocks such that the remote archive storage

means may not decrypt copies of the one or more encrypted user blocks. *("One benefit*

provided by this arrangement is the elimination of access to data by the archive server,

therefore providing the source organization with assurances of access control and privacy,

while relieving the source organization of archive cataloging and physical storage duties"

Column 2, lines 63-67)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Botti with the archive encryption system of Cane.

The motivation is that encrypting data to be archived, and more specifically

encrypting so that the archive cannot decrypt the blocks, is well known in the archiving

art.

Regarding Claims 9 ,15, 40, 46

Botti and Cane teach the system of claim 8, wherein the encryption means

comprises an encryption party, independent of the user data processing means and

the remote archive storage means, coupled the remote archive storage means via the

transmission means. *("Transmission is electronic via computer network" Column 3, lines 37-*

38)

Botti and Cane do not explicity teach that the encryption means is coupled to the

user data processing means via the transmission means.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Botti and Cane to have the encryption means

independently coupled to the user and the archive using the same transmission

means.

The motivation is that one of ordinary skill would be able to connect the user and

the encryption means using the same transmission means.

Claims 16-17, 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Botti in view of Bijl (6173259).

Regarding Claims 16, 17, 47-48

Botti teaches the system of claim 1. Botti does not explicitly teach a:

voice waveform data input means, coupled to said user data processing means, for receiving a user's voice and creating voice waveform data;

and voice recognition and transcription means, coupled to said user data processing means and said remote archive storage means, for generating one or more text data blocks from said voice waveform data transmission for storage in the remote archive storage means, wherein voice recognition means and transcription means are independent of the user data processing means and the remote archive storage means.

Bijl teaches a speech to text system comprising a voice waveform data input means *("one user terminal for recording speech" Column 2, lines 20-21)*, a voice recognition and transcription means *("at least one automatic speech recognition processor, and communication means operative to return the resulting text to a user" Column 2, lines 21-22)*

Bijl further teaches that the voice recognition and transcription means are independent of the user data processing means *("user terminal is remote from at least one automatic recognition processor" Column 2, lines 23-24)*.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Botti with a voice recognition and transcription

means.

The motivation is that, as the Applicant admits (Paragraph [0016] of

specification), remote voice recognition capability already exists in the art, and one of

ordinary skill would be able to combine the well known method of inputting data, via

speech to text transcription, to the data archive system of Botti.

Claims 21-22, 24, 26-28, are rejected under 35 U.S.C. 103(a) as being

unpatentable over Botti and Sykes as applied to claim 2 above, and further in view of

Cane (5940507).

Regarding Claims 21 and 27,

Botti and Sykes teach the system of claim 2. Botti and Sykes do not explicitly

teach an encryption means, coupled to the user data input means and the remote

archive storage means, for encrypting the one or more data blocks to create one or

more encrypted data blocks, and transmitting said one or more encrypted data blocks

to remote archive storage means in place of said one or more data blocks.

Cane teaches an encryption means *(Figure 1, Cryptographic engine 14)* , coupled

to a user *(Figure 1, Source system, 8)* and a remote archive storage *(Figure 1, Archive

Server, 30)*, for encrypting the one or more data blocks to create one or more encrypted

data blocks *(Figure 1, encrypted file, 20)* and transmitting said one or more encrypted

data blocks to remote archive storage *("The encrypted file 20 and encrypted key 24 are*

then transmitted to the archive server at steps 116 and 118" Column 3, lines 64-66). Cane

further teaches where encryption means for encrypting the one or more data blocks to

produce one or more encrypted data blocks such that the remote archive storage

means may not decrypt copies of the one or more encrypted user blocks. *("One benefit*

provided by this arrangement is the elimination of access to data by the archive server,

therefore providing the source organization with assurances of access control and privacy,

while relieving the source organization of archive cataloging and physical storage duties"

Column 2, lines 63-67)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Botti and Sykes with the archive encryption system of

Cane.

The motivation is that encrypting data to be archived, and more specifically

encrypting so that the archive cannot decrypt the blocks, is well known in the archiving

art.

Regarding Claims 22, 28, 53, 59

Botti and Sykes teach the system of claim 20. Botti and Sykes do not further

teach encryption means, coupled to the user data input means and the remote archive

storage means, for encrypting the one or more data blocks to create one or more

encrypted data blocks, and transmitting said one or more encrypted data blocks to

remote archive storage means in place of said one or more data blocks.

Cane teaches an encryption means *(Figure 1, Cryptographic engine 14)* , coupled to

a user *(Figure 1, Source system, 8)* and a remote archive storage *(Figure 1, Archive

Server, 30)*, for encrypting the one or more data blocks to create one or more encrypted

data blocks *(Figure 1, encrypted file, 20)* and transmitting said one or more encrypted

data blocks to remote archive storage *("The encrypted file 20 and encrypted key 24 are

then transmitted to the archive server at steps 116 and 118" Column 3, lines 64-66)*.   Cane

further teaches where encryption means for encrypting the one or more data blocks to

produce one or more encrypted data blocks such that the remote archive storage

means may not decrypt copies of the one or more encrypted user blocks. *("One benefit

provided by this arrangement is the elimination of access to data by the archive server,

therefore providing the source organization with assurances of access control and privacy,

while relieving the source organization of archive cataloging and physical storage duties"

Column 2, lines 63-67)*

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Botti and Sykes with the archive encryption system of

Cane.

The motivation is that encrypting data to be archived, and more specifically

encrypting so that the archive cannot decrypt the blocks, is well known in the archiving

art.

The cited portions teach the method associated with the system.

Regarding Claim 54,

Botti, Sykes and Cane teach the method of Claim 53. While Cane does teach wherein the encryption means comprises an encryption party, independent of the user data processing means and the remote archive storage means, coupled the remote archive storage means via the transmission means. *("Transmission is electronic via computer network" Column 3, lines 37-38)*

Botti Sykes and Cane do not explicity teach that the encryption means is coupled to the user data processing means via the transmission means.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Botti and Cane to have the encryption means independently coupled to the user and the archive using the same transmission means.

The motivation is that one of ordinary skill would be able to connect the user and the encryption means using the same transmission means.

Regarding Claim 60,

Botti, Sykes and Cane teach the method of claim 59. The combined references do not explicitly teach wherein the step of encrypting comprises the step of encrypting in an independent encryption party independent of the user data input device and the

remote archive storage and coupled to the user data input device and the remote archive storage via the transmission network.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Botti, Sykes and Cane to have the encryption means independently coupled to the user and the archive using the same transmission means.

The motivation is that one of ordinary skill would be able to connect the user and the encryption means using the same transmission means.

Regarding Claim 24, 55

The combined references of Botti Sykes and Cane teach the system of claim 22. Botti teaches a filing key generating means, coupled to said user data input means and said remote archive storage means, for generating filing keys from said one or more data blocks. *("The reference field may be specified by the user or alternatively by the Authentidate Server. For example, the reference field could be the subject line of a letter, the title of an agreement, a key phrase, or other suitable information that will be stored. The reference field may be useful in performing a search for the document" Paragraph [0030]). The Examiner interprets filing key as "a compartment name or significant word...useful in retrieving desired data from the archive" (Applicant's Specification ,Paragraph [0043]).*

The cited portions teach the method associated with the system.

Regarding Claim 56,

The combined references of Botti, Sykes and Cane teach method of claim 55. The combined references do not explicitly teach wherein the step of generating filing keys comprises the step of generating filing keys in an independent filing key generating party independent of the user data input device and the remote archive storage and coupled to the user data input device and the remote archive storage via the transmission network.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Botti, Sykes and Cane to be able to generate the filing key independently from the user or the archive.

The motivation to modify is that the system of Botti already possesses the ability to generate filing keys at either the user or the archive, and one of ordinary skill in the art would be able to generate the keys independently.

Regarding Claim 26, 57

The combined references of Botti Sykes and Cane teach the system of claim 24, further comprising: search means to search stored filing keys at said remote archive storage means to select at least one of the one or more data blocks for retrieval of copies of the at least one of the one or more data blocks.

It is inherent that an archive storage system has a search means to search for the files to retrieve copies of the data blocks. *("The Authentidate service would then be*

able to supply copies to the user or third parties upon request in the future" Paragraph [0037]")

("The reference field may be useful in performing a search for the document" Paragraph

[0030])

The cited portions teach the method associated with the system.

Regarding Claim 58,

The combined references of Botti Sykes and Cane teach the method of claim 57, wherein the step of searching comprises the step of searching in an independent search party independent of the user data input device and the remote archive storage and coupled to the user data input device and the remote archive storage via the transmission network.

It would have been obvious to one of ordinary skill to modify the method of Botti, Sykes and Kane with the ability to use a independent search party.

The motivation is that where the search means is located does not affect how the system works, and one of ordinary skill would be able to use an independent search party to find the data blocks in the archive.

Claims 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bottie and Sykes as applied to claim 2 above, and further in view of Bijl.

Regarding Claim 29,

Botti and Sykes teach the system of claim 2. Botti and Sykes do not explicitly teach a voice waveform data input means, coupled to said user data processing means, for receiving a user's voice and creating voice waveform data; and voice recognition and transcription means, coupled to said user data processing means and said remote archive storage means, for generating one or more text data blocks from said voice waveform data transmission for storage in the remote archive storage means.

Bijl teaches a speech to text system comprising a voice waveform data input means *("one user terminal for recording speech" Column 2, lines 20-21),* a voice recognition and transcription means *("at least one automatic speech recognition processor, and communication means operative to return the resulting text to a user" Column 2, lines 21-22)*

Bijl further teaches that the voice recognition and transcription means are independent of the user data processing means *("user terminal is remote from at least one automatic recognition processor" Column 2, lines 23-24).*

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Botti and Sykes with a voice recognition and transcription means.

The motivation is that, as the Applicant admits (Paragraph [0016] of specification), remote voice recognition capability already exists in the art, and one of ordinary skill would be able to combine the well known method of inputting data, via speech to text transcription, to the data archive system of Botti.

Claims 30, 61 are is rejected under 35 U.S.C. 103(a) as being unpatentable over

Botti, Sykes and Cane as applied to claim 28 above, and further in view of Bijl.

Regarding Claim 30, 61-62

The combined references of Botti, Sykes and Cane teach the system of claim 28.

The combined references do not further teach a voice waveform data input

means, coupled to said user data processing means, for receiving a user's voice

and creating voice waveform data; and voice recognition and transcription

means, coupled to said user data processing means and said remote archive

storage means, for generating one or more text data blocks from said voice

waveform data transmission for storage in the remote archive storage means.

Bijl teaches a speech to text system comprising a voice waveform data input

means *("one user terminal for recording speech" Column 2, lines 20-21)*, a voice recognition

and transcription means *("at least one automatic speech recognition processor, and*

communication means operative to return the resulting text to a user" Column 2, lines 21-22)

Bijl further teaches that the voice recognition and transcription means are

independent of the user data processing means *("user terminal is remote from at least one*

automatic recognition processor" Column 2, lines 23-24).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Botti, Sykes and Cane with a voice recognition and

transcription means.

The motivation is that, as the Applicant admits (Paragraph [0016] of specification), remote voice recognition capability already exists in the art, and one of ordinary skill would be able to combine the well known method of inputting data, via speech to text transcription, to the data archive system of Botti.

The cited portions teach the method associated with the system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harris C. Wang whose telephone number is 5712701462. The examiner can normally be reached on M-F 8-5:30, Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ R. SHEIKH can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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HCW

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PRIMARY EXAMINER